
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hunter

HB No. 707

Abstract: Suspends the effectiveness of the discounts for the timely reporting and remitting of taxes on alcohol, gasoline, diesel fuels, storage of hazardous waste, and tobacco products from July 1, 2013, through June 30, 2019.

Present law provides for the levy of a tax upon the sale, use, consumption, handling, or distribution of all cigars, cigarettes, and smoking and smokeless tobacco in La.

Present law authorizes a discount of 2% of the amount of tax due on beverages of low alcoholic content in order to encourage accurate reporting and timely remitting the taxes due beverages of low alcoholic content. Further provides a discount of 3- $\frac{1}{2}$ % of the amount of tax due on beverages of high alcoholic content in order to encourage accurate reporting and timely remitting the taxes due beverages of low alcoholic content.

Proposed law suspends the 2% discount and the 3- $\frac{1}{2}$ % discount for the timely reporting and remitting of taxes on beverages of low and high alcoholic content from July 1, 2013, through June 30, 2019.

Present law authorizes a discount of 1- $\frac{1}{2}$ % of the tax due on gasoline and diesel fuels for a supplier or permissive supplier who files a timely return and remits timely payment. However, this allowance shall not be deductible unless the supplier or permissive supplier allows a deduction of 1% to a purchaser with a valid distributor or importer license who timely files and pays such tax on or before the 22nd day of the month as required by present law.

Proposed law suspends the 1- $\frac{1}{2}$ % discount for suppliers and permissive suppliers for the timely reporting and remitting of the tax on gasoline and diesel fuels from July 1, 2013, through June 30, 2019.

Present law authorizes a discount of $\frac{1}{2}$ of 1% of the tax levied for the disposal and storage of hazardous waste as compensation for the administrative costs in accounting for timely filing and remitting such tax.

Proposed law suspends the $\frac{1}{2}$ of 1% discount for the timely filing and remittance of taxes for the disposal and storage of hazardous waste from July 1, 2013, through June 30, 2019.

Present law requires the secretary of the Dept. of Revenue to allow wholesale tobacco dealers of other states who have a direct purchasing contract with a manufacturer and serving a trade area of

retail dealers in this state to purchase La. stamps with benefit of discount; however, in no instance shall the discount be greater than the discount received by wholesale tobacco dealers in their state of domicile and further provides that regardless of the discount extended by other states, the discount shall not exceed 6%.

Proposed law suspends the 6% discount for out-of-state wholesale tobacco dealers from July 1, 2013, through June 30, 2019.

Present law requires every registered tobacco dealer receiving and handling cigars and smoking tobaccos in La. upon which the tax has not been previously paid shall, within 20 days after the expiration of each calendar month, file a report of the total amount of cigars and smoking tobaccos received and handled during the preceding month, and shall pay the taxes due. Further requires all out-of-state La. registered tobacco dealers to file a report disclosing all sales of cigars and smoking tobaccos in La. during the preceding calendar month, and shall pay the taxes due.

Present law authorizes a 6% discount for timely and accurately filing such report only on those purchases made by registered tobacco dealers in La. who have a direct purchasing contract with a manufacturer.

Proposed law suspends the 6% discount authorized for purchases made by registered tobacco dealers in La. who have a direct purchasing contract with a manufacturer from July 1, 2013, through June 30, 2019.

Present law provides that cigarette tax stamps shall be sold to bonded registered La. tobacco dealers who have a direct purchasing contract with a manufacturer at a discount of 6% from the face value when purchased in quantities of not less than \$100 face value. Further requires the same discount to apply where metered stamping machines or devices are used.

Proposed law suspends the 6% discount from July 1, 2013, through June 30, 2019.

Effective July 1, 2013.

(Amends R.S. 26:345 and 354(D) and R.S. 47:818.22(A) and (B), 823(E), and 843(B); Adds R.S. 47:843(C)(11) and 851(B)(4))